

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
HELENA DIVISION

THOMAS EMIL SLIWINSKI,

Petitioner,

vs.

JIM SALMONSEN; ATTORNEY  
GENERAL OF THE STATE OF  
MONTANA,

Respondents.

Cause No. CV 21-38-H-SEH

ORDER

On May 17, 2021, pro se state prisoner Petitioner Thomas Emil Sliwinski filed a petition seeking a writ of habeas corpus under 28 U.S.C. § 2254.<sup>1</sup>

Sliwinski was convicted in state court of Bail Jumping in 2017 and received a 40-year sentence.<sup>2</sup> He challenged the 2017 judgment before this Court in 2019. The petition was dismissed with prejudice in 2020 as procedurally defaulted.<sup>3</sup>

This Court is without jurisdiction to provide the relief sought. This Court may not review Sliwinski's present petition unless and until he obtains leave from

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<sup>1</sup> See Doc. 1 at 8. See also *Houston v. Lack*, 487 U.S. 266 (1988).

<sup>2</sup> Doc. 1 at 2-3.

<sup>3</sup> See *Sliwinski v. Guyer*, Cause No. CV-19-80-H-DLC, Or. (D. Mont. Dec. 17, 2020).

the Ninth Circuit Court of Appeals to file a second or successive petition.

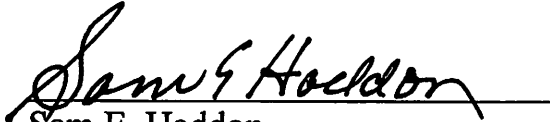
The petition is dismissed.

A certificate of appealability is denied. No basis exists to encourage further proceedings.<sup>4</sup>

ORDERED:

1. The Petition<sup>5</sup> is DISMISSED.
2. The Clerk of Court is directed to enter judgment of dismissal.
3. A certificate of appealability is DENIED.

DATED this 26<sup>th</sup> day of May, 2021.

  
Sam E. Haddon  
United States District Court Judge

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<sup>4</sup> See *Miller-El v. Cockrell*, 537 U.S. 322, 327 (2003); see also *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

<sup>5</sup> Doc. 1.